

HUMAN SERVICES BOARD

INTRODUCTION

FINDINGS OF FACT

On February 10, 1998, the petitioner applied for Food Stamps and for GA benefits for his room rent and security deposit. At that time the Department determined that the petitioner had not yet reapplied for SSI. The Department

granted him a cash Food Stamp benefit of \$85 for the month of February and found him eligible to begin receiving \$110 a month in Food Stamps as of March 1, 1998. These amounts were based on the petitioner having no income.

The Department denied the petitioner's application for GA because the petitioner had not yet reapplied for SSI. The Department maintains that it informed the petitioner that his eligibility for GA was contingent on him applying for SSI benefits. The petitioner maintains that this was not clearly communicated to him by his intake worker.

At the hearing in this matter, held on March 11, 1998, it was determined that the petitioner had applied for SSI on February 12, 1998, two days after his application for, and the Department's denial of, GA.¹ Inexplicably, however, the petitioner did not return to the Department to reapply for GA until the day of the hearing; and then, only after being advised to do so by the hearing officer.² As of the day of the hearing the petitioner stated that he still owes his landlord \$182 toward his security deposit.

ORDER

¹As of the date of the hearing the petitioner had been informed that he is eligible for \$374 a month in SSI; although this appears to be too low an amount, and the petitioner indicated he believes it will soon be corrected upward.

²It is not known whether the petitioner's March 11 application for GA was granted, but the petitioner was advised before he applied that he had separate appeal rights regarding this and any subsequent application for GA.

The Department's decision is affirmed.

REASONS

W.A.M. § 2600C includes the following provision:

. . . GA shall be granted to applicant households only if all of the following . . . criteria are met:

. . .

3. The household is actively pursuing all sources of potential income appropriate to their situation, such as, but not limited to . . . SSI. . . .

In this case the petitioner does not dispute the Department's information that he did not reapply for SSI until two days after he applied for GA. The Department maintains that the petitioner could have reapplied for GA (as he did the day of the hearing) anytime after he had applied for SSI, and that he would not have been found ineligible under the above provision.

Although it is not clear why the petitioner did not return to the Department before the day of his hearing to reapply for GA, as of February 10, 1998, the Department had no way to confirm that the petitioner was "actively pursuing" an application for GA. Therefore, it is concluded that the denial of his application for GA on that date was in accord with the above eligibility provision, and must be affirmed. 3 V.S.A. 3091(d) and Fair Hearing Rule No. 17.

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